

**LEGISLATIVE SERVICES AGENCY
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FISCAL IMPACT STATEMENT

LS 6864

BILL NUMBER: SB 320

NOTE PREPARED: Jan 4, 2010

BILL AMENDED:

SUBJECT: Antique Motor Vehicle Issues.

FIRST AUTHOR: Sen. Kruse

FIRST SPONSOR:

BILL STATUS: As Introduced

FUNDS AFFECTED: ☒ **GENERAL**
☒ **DEDICATED**
☐ **FEDERAL**

IMPACT: State & Local

Summary of Legislation: This bill:

- (1) changes the definition of antique motor vehicle for purposes of motor vehicle law;
- (2) authorizes the use of blue dot tail lights on antique motor vehicles under certain circumstances;
- (3) changes the description of vehicles that must be exempt from a rule of the Air Pollution Control Board concerning periodic motor vehicle emissions tests due to the age of the vehicles; and
- (4) prohibits a local government unit from adopting a zoning ordinance or a land use regulation that prohibits a person from engaging in the activities of an automotive collector under certain conditions.

Effective Date: Upon passage; July 1, 2010.

Explanation of State Expenditures:

Explanation of State Revenues: *Antique Motor Vehicle:* Under the bill, an antique motor vehicle would not only have to be 25 years old, but would have to be insured as a collectable or classic automobile or, at a clean air check vehicle emissions test site, have verified that the vehicle is not driven more than 3,000 miles a year and that federally required pollution control equipment for the make and model year of the vehicle is in place. If fewer vehicles qualify to register as an antique car or truck as a result, the Bureau of Motor Vehicles would not receive the \$20.75 (cars and motorcycles) or \$21.75 (trucks) administration fee attached to the registration. The total annual revenue from this administration fee is not available.

Blue Dot Tail Light: The bill provides for a blue dot tail light on antique motor vehicles and creates an exception to certain violations concerning taillights and reflectors for the blue dot tail lights. Violation of these sections is a Class C infraction. There is citation information for violation of IC 9-19-6-6, prohibiting

the sale or driving on highways of a vehicle without brake or signal lights, which indicates that in 2008, there were 411 citations and 357 people found or pled guilty.

If fewer court cases occur and infraction judgments and court fees are collected, revenue to the state General Fund may decrease. The maximum judgment for a Class C infraction is \$500, which is deposited in the state General Fund.

For court actions filed and a judgment is entered, a court fee of \$70 is assessed, 70% of which would be deposited in the state General Fund if the case is filed in a court of record or 55% if the case is filed in a city or town court. In addition, some or all of the document storage fee (\$2), automated record keeping fee (\$7), judicial salaries fee (\$18), the public defense administration fee (\$3), the court administration fee (\$5), and the judicial insurance adjustment fee (\$1) are deposited into the state General Fund.

Explanation of Local Expenditures:

Explanation of Local Revenues: *Blue Dot Tail Light:* For court actions that are filed and a judgment is entered, local governments would receive revenue from the following sources. The county general fund would receive 27% of the \$70 court fee that is assessed in a court of record. Cities and towns maintaining a law enforcement agency that prosecutes at least 50% of its ordinance violations in a court of record may receive 3% of court fees. If the case is filed in a city or town court, 20% of the court fee would be deposited in the county general fund and 25% would be deposited in the city or town general fund. Additional fees may be collected at the discretion of the judge and depending upon the particular type of case.

State Agencies Affected: Bureau of Motor Vehicles.

Local Agencies Affected: Trial courts, local law enforcement agencies.

Information Sources:

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